Amendments To The Drawings:

None.

Remarks

This Amendment is in response to the Office Action dated **December 9, 2004.** In the office action the examiner rejected claims 1-10 under §103. In response, applicant has amended claim 1 to further clarify the invention.

The Invention

In the invention two hydraulic cylinders (master cylinders) are used to actuate the brakes at the wheels through slave cylinders, although the slave cylinders are not claimed in claim 1. In this connection it should be noted that both master cylinders are connected to the same line or conduit leading to the wheel brake. This is an important feature.

Furthermore, the invention is used for industrial trucks having an electric steering device. It is mandatory that the truck is stopped in case of interruption of the electric supply. It is clear that the truck could not continue to be handled if the electrical supply is no longer working. For this reason an emergency stop is provided which generates a signal in case of omission or cessation of the electric current. This signal is a brake signal which is applied to the second hydraulic cylinder, in that a solenoid is used to actuate the second hydraulic cylinder.

From the above it is clear that the parts necessary to add emergency means to conventional braking systems is small since only a second cylinder and a solenoid are used. Additional conduits for the braking medium are not necessary.

Toomey

Toomey discloses two braking cylinders 6, 15 each actuated by an actuation means. One cylinder 6 is for example for a foot pedal (Fig. 4) and the other 15 is connected to a linkage for providing a parking brake. It should be noted that each hydraulic cylinder 6, 15 has its own conduit leading to the wheel brake. Therefore, Toomey does not only fail to provide an electric

magnet for the actuation of one hydraulic cylinder, but also fails to disclose the same conduit for both hydraulic cylinders. Finally, Toomey does not disclose an emergency stop device which generates a signal in case of omission of a current supply.

Kessler

Kessler does not refer to an industrial truck, rather to a trailer braking system. The braking system has a master cylinder or a hydraulic cylinder which is actuated by a rod which in turn is actuated by the coupling between the trailing vehicle and the trailer. The same hydraulic cylinder is also actuated by a solenoid to provide a parking brake. As can be seen, Kessler discloses none of the features of the invention. Kessler discloses to actuate the same hydraulic cylinder by a solenoid while in the invention a further hydraulic cylinder is provided which is actuated by the solenoid. Thus, the expert does not obtain the suggestion by Kessler to actuate the second or parking brake cylinder by a solenoid. Furthermore, also Kessler does not provide emergency device to supply a stop signal to the solenoid for the second hydraulic cylinder in case of omission of the current for the steering system. Therefore, it can be stated that the combination of Toomey and Kessler does not result in the teachings of amended claim 1.

Conclusion

Claim 1 as amended is not met by the combination of Toomey and Kessler. Toomey fails to teach an electric magnet for the actuation of one hydraulic cylinder and also fails to teach that both the first and second hydraulic cylinders are connected to the same conduit. Therefore, none of the claims 1-10 are rendered obvious by the cited combination.

It should also be noted that the parallel German patent application has already been allowed.

Claims 1-10, as amended, are now believed to be in condition for allowance.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 9, 2005

By: _____
Richard A. Arrett
Registration No.: 33153

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

f:\wpwork\raa\11371us01_amd_20050309.doc